

CAPITAL REGIONAL DISTRICT

BYLAW NO. 2032

A BYLAW TO CONVERT NORTH PENDER ISLAND (ELECTORAL AREA G [OUTER GULF ISLANDS]) FIRE PROTECTION SPECIFIED AREA TO NORTH PENDER ISLAND FIRE PROTECTION EMERGENCY RESPONSE LOCAL SERVICE AREA AND TO AMEND THE POWER AS SET OUT IN NORTH PENDER ISLAND FIRE PROTECTION SPECIFIED AREA ESTABLISHMENT AND LOAN AUTHORIZATION BYLAW NO. 86, 1971

WHEREAS the Regional Board of the Capital Regional District may, by bylaw, under Section 767(4) of the *Municipal Act* convert a service provided by the Regional District under a specified area to a Local Service and by the same bylaw amend the power to the extent that it could if the power were in fact exercised under the authority of a bylaw establishing the service provided that the bylaw meets the requirements of Section 794 and is adopted in accordance with Section 802 of the *Municipal Act*;

AND WHEREAS the Regional Board did establish by Bylaw No. 86 cited as the “North Pender Island Specified Area Establishment and Loan Authorization Bylaw No. 86, 1971” a service area for the provision of fire protection services for the specified area described in the bylaw within a portion of the Outer Gulf Islands Electoral Area;

AND WHEREAS the Regional Board wishes to convert the said fire protection specified area to a Local Service;

AND WHEREAS the Regional Board wishes to add, under the provisions of Section 788(1)(g), of the *Municipal Act* the authority to provide assistance in response to other classes of circumstances specified by bylaw that may cause harm to persons or property;

AND WHEREAS the approval of the Inspector of Municipalities is required under Section 795(1)(a) of the *Municipal Act*;

NOW THEREFORE the Regional Board of the Capital Regional District in open meeting assembled ENACTS AS FOLLOWS:

1. The fire protection service provided within the specified area created under Bylaw 86, cited as “North Pender Island Specified Area Establishment and Loan Authorization Bylaw, 1971” is hereby converted to and established as a Fire Protection and Emergency Response Service within the service area defined in Section 2 and is the service of:
 - (a) Fire prevention
 - (b) Fire suppression; and
 - (c) Assistance in response to:
 - (i) Requests from the Provincial ambulance Service for extrication of persons from damaged motor vehicles;

- (ii) Requests for assistance in the extrication of persons from damaged buildings, structures or from situations involving natural hazards;
- (iii) Emergencies where police or ambulance personnel are unavailable or are unable to respond adequately and the equipment and personnel of the department is required to respond to the situation;

In situations where the Fire Chief determines that the personnel and equipment resources of the Fire department are capable of responding to the emergency.

2. The boundaries of the Local Service Area established in Section 1 are shown in broken outline on Schedule "A" attached hereto and shall be known as the "North Pender Island Local Service Area".
3. Only the Outer Gulf Islands Electoral Area is a participating area for this Local Service.
4. The annual costs for the Local Service, net of grants and other revenue, shall be recovered by one or more of the following:
 - (a) By a parcel tax to be imposed in the manner prescribed by Section 825(2) of the *Municipal Act*;
 - (b) By the requisition of money under Section 823 of the *Municipal Act* to be collected by a property value tax, levied and collected under Section 825(1) of the *Municipal Act*;
 - (c) The imposition of fees and other charges that may be fixed by separate bylaw.
5. In accordance with section 800.1(1)(e) of the *Local Government Act*, the maximum amount that may be requisitioned for the cost of the North Pender Island Fire Protection and Emergency Response Service is the greater of:
 - (a) Sixty Three Thousand Seven Hundred Seventy (\$63,770) Dollars; or
 - (b) An amount equal to the amount that could be raised by a property tax rate of \$0.12 (per One Thousand Dollars (\$1,000), when applied to the net taxable value of lands and improvements for hospital purposes within the Service Area.
6. The Board of the Capital Regional District may by bylaw, establish a North Pender Island Fire Protection Local Services Committee consisting of the Director representing the Outer Gulf Islands Electoral Area plus such other persons as may be designated in the bylaw and in such bylaw may delegate to the Committee any or all of the administrative powers of the Regional Board in relation to the operation of the Local Service Provided under this bylaw.
7. Notwithstanding Section 2 of this bylaw, the fire department may provide fire suppression and emergency response outside the boundaries of the service area where the Capital Regional District has entered into an agreement for this purpose.
8. Bylaw No. 86 being the "North Pender Island Specified Area Establishment and Loan Authorization Bylaw No. 86, 1971" is hereby repealed.
9. This Bylaw is repealed upon the repayment of all debt outstanding under the Borrowing Bylaw.

10. This Bylaw may be cited as the "North Pender Island Fire Protection and Emergency Response Local Service Establishment Bylaw No. 1, 1992."

READ A FIRST TIME THIS 13th day of May 1992

READ A SECOND TIME THIS 13th day of May 1992

READ A THIRD TIME THIS 13th day of May 1992

CONSENTED TO BY THE DIRECTOR FOR THE ELECTORAL AREA OF OUTER GULF ISLANDS

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS 25th day of June 1992

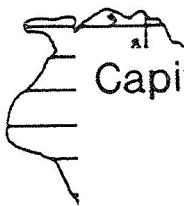
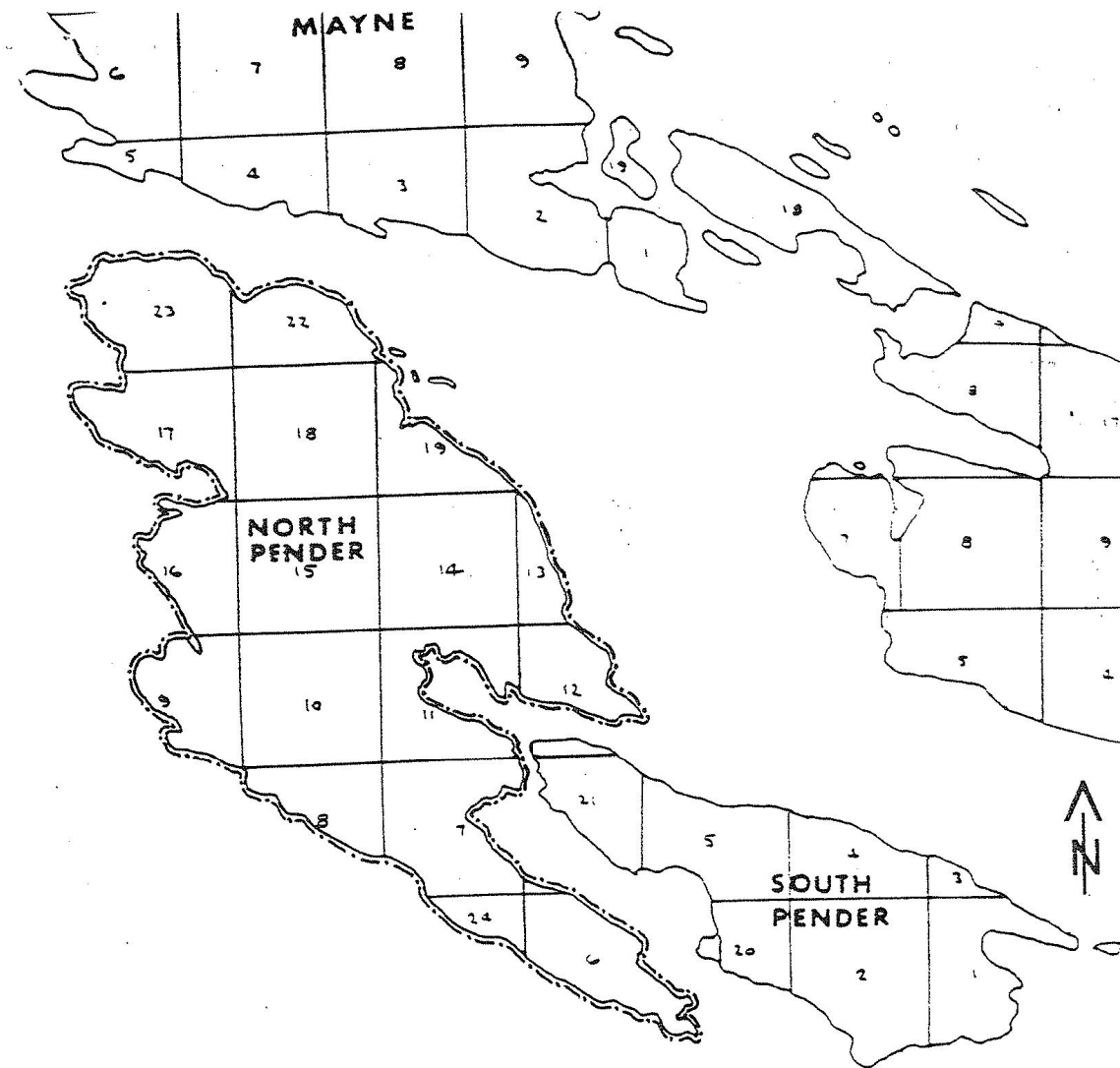
RECONSIDERED AND FINALLY ADOPTED THIS 15th day of July 1992

F. Leonard
CHAIRPERSON

W.M. Jordan
SECRETARY

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS 16th day of July 1992

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Capital Regional District By-law 2032 Schedule "A"

NORTH PENDER ISLAND FIRE PROTECTION
AND EMERGENCY RESPONSE LOCAL SERVICE AREA

 Boundary

Scale 1 inch - 1 mile